



COPY OF PAPERS
ORIGINALLY FILED

287
#22-2102

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : SOMMERS
FOR : VARIABLE OPTICS SPOT MODULE
SERIAL NO. : 09/682,535
FILED : September 17, 2001
EXAMINER : Unknown
ART UNIT : 2875
ATTORNEY DOCKET NO. : GLO 2 0080
GD-31

RECEIVED
FEB - 6 2002
TECHNICAL LIAISON

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant submits the following Disclosure Statement concerning art of which the applicant is aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

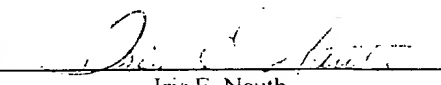
In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed patent requires no further explanation (or no translation is available).

CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on January 16, 2002.

By:


Iris E. Nauth

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☐ **WITHIN THREE MONTHS OF FILING:** Under § 1.97(b)(1), this information disclosure statement is being filed within three months of the filing date of the application. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

☒ **BEFORE FIRST OFFICE ACTION:** Under § 1.97(b)(3), this information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

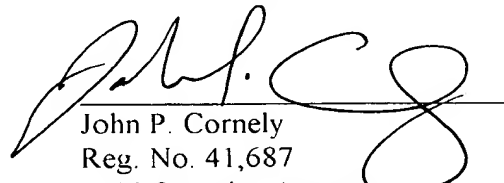
☐ **FOREIGN SEARCH REPORT:** Under § 1.97(e)(1), the undersigned certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

☐ **BEFORE FINAL ACTION/WITH FEE:** Under § 1.97(e)(2), the undersigned certifies that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement. This information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$240.00 as required by § 1.17(p). Accordingly, the necessary fee accompanies this information disclosure statement. Any overpayment or deficiency can be charged to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



John P. Cornely
Reg. No. 41,687
1100 Superior Avenue
Seventh Floor
Cleveland, Ohio 44114-2518
(216) 861-5582